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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/562,951

04/20/2006

Brian Anderton

0380-P03923US0

8723

110 7590 03/22/2010
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1601 MARKET STREET
SUITE 2400
PHILADELPHIA, PA 19103-2307

EXAMINER

STEADMAN, DAVID J

ART UNIT

PAPER NUMBER

1656

MAIL DATE

DELIVERY MODE

03/22/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner contacted Ms. Rigaut to notify applicant's representative that the after-final amendment filed on 1/12/10 would not be entered and to explain the reasons for non-entry. The examiner noted that while the amendment to claim 22, which was the single claim discussed during the interview of 1/7/10, does not appear to require further consideration and a new search, the amendment to claim 27 would require further consideration and a new search. The examiner noted that claim 27 as filed on 2/3/09 encompasses the alternative limitations a "fragment" or a "derivative" of "full length tau protein" of SEQ ID NO:2 and the 103(a) rejection is based on a fusion of full length tau protein of SEQ ID NO:2 with a polyhistidine tag as being encompassed by a "fragment or derivative of full length tau protein". However, the examiner noted that claim 27 as filed on 1/12/10 is amended to delete the alternative "derivative" such that the claim is now limited to "a fragment of SEQ ID NO:2", which excludes a full length tau protein of SEQ ID NO:2 with the addition of a polyhistidine tail. The examiner noted that by limiting the claim to "a fragment of SEQ ID NO:2" in claim 27, at least a new search is required.